

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CONGREGATION RABBINICAL COLLEGE OF
TARTIKOV, INC., RABBI MORDECHAI BABAD,
RABBI MEILECH MENCZER, RABBI JACOB
HERSHKOWITZ, and RABBI CHAIM ROSENBERG,

7:20-cv-06158-KMK

Plaintiffs,

-against-

VILLAGE OF POMONA, NY and BOARD OF TRUSTEES OF
THE VILLAGE OF POMONA, NY,

Defendants.
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DECLARATION OF CHAIM BABAD

Chaim Babad, declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a citizen of the United States and of New York, and reside in Brooklyn, New York.
2. I am a member of the Orthodox/Hasidic Jewish Community.
3. I am in the real estate business, investing in residential and commercial properties.
4. It is my religious belief that I should donate 10% of my earnings to charitable causes. I have structured my business transactions so that a minimum of ten percent of proceeds from them provides direct financial support to K'hal Minchas Chinuch, a charitable organization that I am associated with.
5. For my formal education, I attended Yeshiva Nitra in Mount Kisco. I subsequently continued with studies of the Torah and Jewish law at Kollel Belz in Williamsburg, New York.
6. My beliefs require me to obey Jewish law, which is a religiously based system.
7. I believe that the Torah is the word and will of G-d and I am religiously and morally obligated to follow its rules.
8. In 2004, together with Michael Tauber, we formed the Congregation Rabbinical College of Tartikov, Inc. ("Tartikov"). A copy of Tartikov's Certificate of Incorporation is attached hereto as **Exhibit 1**.

9. Tartikov is a religious corporation under New York law.
10. We formed Tartikov for the purpose of building and operating a rabbinical college to train full-time rabbinical judges in all four sections of the Shulchan Aruch in Rockland County, New York. The college will include housing for students and their families. Motivated by its sincere religious belief, Tartikov plans to develop and operate a rabbinical college specifically to train Orthodox Jewish rabbis to be qualified rabbinical judges or *dayanim*.
11. I have known Michael Tauber for over four decades and since that time his family and my family have been involved in college training programs for rabbinical judges.
12. Together with other members of my family, I have devoted substantial amounts of time and financial support to kollels here in New York and elsewhere in the United States and overseas for the purpose of developing rabbinical judges to serve the Orthodox/Hasidic community.
13. My family, the Babad family, has a history going back over 500 years of service to Judaism. The first Rabbi Babad served in Krakow five centuries ago. His children added "Babad" to their signatures; "Babad" stands for "Benei Av Bet Din," which translates as "children of the bais din." Over time, Babad rabbis serving as rabbinical judges could be found in over 40 cities and towns in Europe, particularly in Poland and Ukraine.
14. Because of the Holocaust and World War II, most of the rabbinical judges were lost in Europe, including many of our Babad family rabbis and rabbinical judges.
15. Here in America, we have devoted ourselves to restoring that loss. My father urged me to devote my life to using my talents and skills in the real estate business to earn the necessary funds to rebuild and restore the rabbinical courts with properly trained rabbinical judges for the communities of our people.
16. My goal is still to do that, including the project of developing the rabbinical college in Pomona.
17. My family's efforts extend beyond Pomona and New York by restoring Jewish cemeteries. In Israel, we directly support between four and five hundred students studying Torah and Jewish law.
18. As a matter of religious faith, I believe that Jews cannot resolve our disputes in civil courts, so there is a need for rabbinical judges. I also believe that only qualified judges who are properly trained in Jewish law can decide the many religious questions that Orthodox/Hasidic Jews are faced with everyday.
19. Going to the civil courts, a Jew ignores the holy laws and legal system that G-d made just for the Jewish people.
20. I believe that our community does not have a sufficient number of qualified religious

judges to handle the matters that come up every day under the Code of Jewish Law.

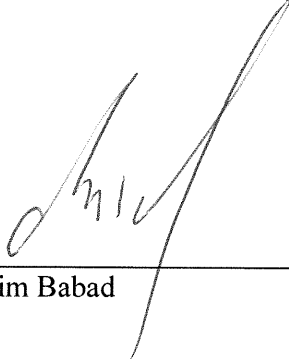
21. At Tartikov, we intend and plan to focus our program on the Shulchan Aruch, the Code of Jewish Law.
22. Tartikov believes that by providing housing and financial support for students admitted to a program for the training of rabbinical judges it is doing its religious duty to provide qualified judges for our people.
23. Michael Tauber was on the lookout for a suitable property around Monsey, New York for several years.
24. In 2004, Michael Tauber learned of a 100-acre parcel in the Village of Pomona that had come on the market. Because he thought it might be the ideal space for Tartikov, he mentioned it to me in one of our meetings. The property sits in the southeast quadrant of the intersection of US Route 202 and New York Route 306, in the Village of Pomona, in Rockland County.
25. I found the property to be a promising idea, so we looked at it. We decided that it would be just right for the basic plan for the college campus that I call a Bais Din community and others refer to it as a Torah community. At that point, we made the decision to purchase the property. The property was purchased in August of 2004.
26. Currently, Michael Tauber and I are the officers of Tartikov, and the trustees for Tartikov include Abraham Halberstam, Naftale Babad, and Rabbi Usher Mandel.
27. My main responsibility for Tartikov is providing the necessary funds. Michael Tauber has responsibility for planning the design and construction of the college, including hiring professionals, and any daily responsibilities related to it.
28. Just as we have funded students studying Torah at kollels in Israel and at the Brooklyn school we are also supporting a group of students that have agreed to attend Tartikov when it opens. We provide these students with stipends to allow them to continue in their Torah studies and in such limited Shulchan Aruch studies as can be done on their own to prepare for their studies at Tartikov.
29. Without the stipends provided to them, Tartikov believes that these students would be required to take on outside work that would prevent them from dedicating the necessary time for their studies.
30. My brother Rabbi Mordechai or Mordcho Babad is one of the few judges fully trained in all four books of the Shulchan Aruch. He will be the dean of Tartikov.
31. Students that attend Tartikov will be required to live on campus. Students who stop their participation in Tartikov's program of rabbinic study and preparation will have to leave the campus.
32. Tartikov is not building a subdivision or planned community that will serve the general

public. Only students and faculty, along with one or two caretakers, will live on the campus when constructed.

33. We plan to construct classrooms, study halls, courtrooms, a library, residences, and one or more shuls, and a facility to house a mikvah.
34. The campus, a Bais Din/Torah community that we plan to build, will also provide students with the opportunity to gain knowledge from the teachers and students by interacting with their teachers and discussing the issues with their fellow students day and night.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: October 15, 2020
Brooklyn, New York



Chaim Babad